

## REMARKS

Claims 1-30 remain pending in the application. Applicant, by this paper, amends claims 1, 8, 16, 18, and 24 and requests reconsideration and allowance of all pending claims.

### Discussion of Rejections Under 35 U.S.C. §102(e)

Claims 1, 3-5, and 7 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent Publication No. 2001/0032237 to Miyake et al. (hereinafter Miyake).

In order for a claim to be anticipated by a reference, the reference must describe each and every element as set forth in the claim, either expressly or inherently, in the single prior art reference. Applicant respectfully contends that Miyake fails to disclose at least one claimed element from each of claims 1, 3-5, and 7.

Claim 1 recites a memory card. The memory card includes "a controller within the memory card, coupled to both the memory and the input/output device, that controls operation of the memory card." Claim 1 further features "the controller comprising means for receiving and determining a validity of an access request and means for controlling access to the usernames, passwords, and associated network addresses through the input/output device in response to a valid request from a first network address for an associated first username and first password." Miyake fails to describe at least this claimed feature.

Miyake does not describe a memory card having a controller within the card. Miyake only describes a memory stick 3 that can be connected to a server apparatus 2. *See Miyake*, Figure 1. The memory stick can store setting information. *Id.*, at paragraph [0031]. However, Miyake fails to describe any controller within a memory card, such as the memory stick. Instead, Miyake describes the CPU 11 of the server apparatus 2 performing the functions of controlling access to the contents of the memory stick 3. Miyake states: "[T]he server apparatus 2 is configured to read predetermined setting information from the memory stick 3 loaded therein based on a predetermined application program which has been previously stored." *Id.* Miyake further states: "[T]he CPU 11 fetches the application program of the software into the RAM 13 through the bus 20. subsequently, as the memory stick 3 is loaded into the PCMCIA interface 4, the CPU 11 sequentially reads predetermined setting information from the loaded memory stick 3 through the PCMCIA interface 4 and the bus 19 based on the application program."

Therefore, Miyake fails to describe any controller within the memory stick, and instead describes a CPU that is a part of the server apparatus and as the device that is capable of accessing the contents of the memory stick. Thus, Applicant respectfully requests reconsideration and allowance of claim 1, because Miyake fails to describe every claimed element.

Claims 3-5, and 7 depend from claim 1 and are believed to be allowable at least for the reason that they depend from an allowable base claim. Applicant respectfully requests reconsideration and allowance of claim 3-5, and 7.

#### Discussion of Rejections Under 35 U.S.C. §103(a)

Claims 2, 6, 8-14, 16-18, 21 and 24 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake in view of U.S. Patent No. 5,282,247 to McLean et al. (hereinafter McLean). Claim 15 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake in view of U.S. Patent No. 6,738,901 to Boyles, et al. (hereinafter Boyles). Claims 19-20, 22-30 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Miyake and McLean further in view of Boyles.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be reasonable expectation of success. Finally, the prior art reference, or references when combined, must teach or suggest all of the claim limitations.

Claims 2 and 6 depend from claim 1. As described above, claim 1 is believed to be allowable because Miyake fails to describe every element of claim 1. Claims 2 and 6 depend from claim 1 and are believed to be allowable at least for the reasons that they depend from an allowable base claim.

Claim 8 recites a memory card that includes "a controller within the memory card, coupled to both the memory and the bus interface, that receives a password via the bus interface, determines validity of the password, and controls access to the memory card in response to a valid password." As described above in relation to claim 1, Miyake fails to describe a memory card having a controller within the memory card. McLean also fails to describe the claimed

element. Thus, the references, either alone or in combination, fail to teach or suggest all claim limitations.

Claim 16 recites a method for accessing usernames and associated passwords in a memory card. The method includes "determining, within the memory card, if the password is valid." As described in Applicant's specification at [0035], a controller within the memory card checks for a valid password. The references cited by the Examiner, Miyake, McLean, and Boyles, all fail to describe a controller within the memory card performing such a function. Therefore, the cited references, either alone or in combination, fail to teach or suggest all claim limitations.

Claims 9-15 and 17-23 depend from one of claims 8 or 16 and are believed to be allowable at least for the reason that they depend from an allowable base claim.

Claim 24 includes "determining, within the smart memory card, if the access request is valid." Thus, claim 24 is believed to be allowable at least for the same reasons as provided above in relation to claim 16.

Claims 25-30 depend from claim 24 and are believed to be allowable at least for the reason that they depend from an allowable base claim.

Applicant respectfully requests reconsideration and allowance of claims 2, 6, and 8-30 because the cited references, either alone or in combination, fail to teach or suggest all claimed limitations. In particular, none of the cited references teaches or suggests a memory card having a controller nor determining the validity of a password or an access request within the memory card.

**CONCLUSION**

In light of the arguments presented above, the Applicants respectfully submit that the instant claims are patentable. Accordingly, reconsideration and allowance of this Application is earnestly solicited. Should any issues remain unresolved, the Examiner is encouraged to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: November 29, 2005

By: 

Howard Seo  
Reg. No. 43,106  
Attorney for the Applicants

QUALCOMM Incorporated  
Attn: Patent Department  
5775 Morehouse Drive  
San Diego, California 92121  
Telephone: (858) 845-5235  
Facsimile: (858) 658-2502